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6 Attorneys for **Linda Livolsi**

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 vs.  
13 LINDA LIVOLSI,  
14 Defendant.

2:10-cr-578-PMP-GWF

**STIPULATION TO CONTINUE**  
**ARRAIGNMENT AND**  
**PLEA HEARING**  
**DATE**

(First Request)

15  
16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
17 States Attorney, and J. Gregory Damm, Assistant United States Attorney, counsel for the United  
18 States of America, and Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant  
19 Federal Public Defender, counsel for LINDA LIVOLSI, that the arraignment and plea hearing  
20 currently set for Wednesday, March 26, 2014 at the hour of 3:00 p.m., be vacated and set to Friday,  
21 March 28, 2014.

22 This Stipulation is entered into for the following reasons:

23 1. That defendant Livolsi lives out of state and has a scheduled evidentiary hearing  
24 before the Honorable George W. Foley, Jr., on March 28, 2014 at 10:30 a.m. In the interest of  
25 economy, the defendant would request her current arraignment plea hearing set before the Honorable  
26 Nancy J. Koppe for Wednesday, March 26, 2013 at the hour of 3:00 p.m., be reset for Friday, March  
27 28, 2014 at a time to be specified by this court.

28 2. The defendant is not incarcerated and does not object to the continuance.

1           3.     The parties agree to the continuance.

2           4.     The additional time requested herein is not sought for purposes of delay, but merely  
3 to allow for a resetting to accommodate the defendant's travel out of state.

4           5.     The additional time requested by this Stipulation is excludable in computing the time  
5 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
6 States Code, Section 3161(h)(1)(A) and Title 18, United States Code, Section 3161(h)(7)(A),  
7 considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

8           6.     This is the first request to continue the arraignment and plea hearing filed herein.

9           DATED this 21st day of March, 2014.

10          RENE L. VALLADARES  
11          Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

12          /s/ Monique Kirtley

/s/ J. Gregory Damm

13          By: \_\_\_\_\_  
14               MONIQUE KIRTLEY  
15               Assistant Federal Public Defender  
16               Counsel for Linda Livolsi

By: \_\_\_\_\_  
J. GREGORY DAMM  
Assistant United States Attorney  
Counsel for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDA LIVOLSI,

Defendant.

2:10-cr-578-PMP-GWF

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER**

FINDINGS OF FACTS

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. That defendant Livolsi lives out of state and has a scheduled evidentiary hearing before the Honorable George W. Foley, Jr., on March 28, 2014 at 10:30 a.m. In the interest of economy, the defendant would request her current arraignment plea hearing set before this court for Wednesday, March 26, 2013 at the hour of 3:00 p.m., be reset for Friday, March 28, 2014 at a time to be specified by this court.

2. The defendant is not incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow for a resetting to accommodate the defendant's travel out of state.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(A) and Title 18, United States Code, Section 3161(h)(7)(A), considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

6. This is the first request to continue the arraignment and plea hearing filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the arraignment and plea hearing date.

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**CONCLUSIONS OF LAW**

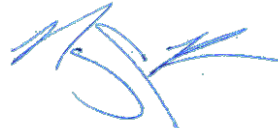
The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(1)(A) and Title 18 United States Code, Section 3161(h)(7)(A), when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

**ORDER**

IT IS THEREFORE ORDERED that the arraignment and plea hearing currently set for Wednesday, March 26, 2014 at the hour of 3:00 p.m., be vacated and continued to Friday,  
March 28, 2014, at the hour of 3:00 p.m., in courtroom 3C

DATED this 21st day of March, 2014.



UNITED STATES MAGISTRATE JUDGE